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THE
PETITION
OF THE
LORDS and COMMONS

in Parliament, delivered to His
Maiefty the 16 day of *July* 1642.

Together
VVith His MAIESTIES
A N S W E R thereunto

Charles R.

OVR expresse Pleasure is, That this *Petition of the Lords and Commons, with Our Answer thereto, be read in all Churches and Chappels within the Kingdome of England and Dominion of Wales, by the Parsons, Vicars or Curates of the same.*



London Printed by *Edward Griffin*. 1642.



To the **KINGS** Most Excellent
MAJESTY.

The humble Petition of the **LORDS** and
COMMONS Assembled in Parliament.

May it please Your Majesty,



Although we your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, have been very unhappy in many former Petitions and Supplications to your Majesty, wherein we have represented our most dutifull affections, in advising and desiring those things which we held most necessary for the preservation of Gods true religion, Your Majesties safety and Honour, and the peace of the Kingdome; And with much sorrow doe perceive, That your Majesty, incens'd by many false calumnies, and slanders, doth continue to raise forces against us, and Your other peaceable and loyall Subjects, and to make great preparations for Warre, both in the Kingdome and from beyond the seas; And by armes and violence to over-rule the Judgement and advice of your great Councell, and by force to determine the questions there depending, concerning the Government and Liberty of the Kingdome; yet such is our earnest desire of discharging our duty to Your Majesty and the Kingdome, to preserve the peace thereof, and to prevent the miseries of civill Warre amongst your Subjects; That notwithstanding we hold our selves bound to use all the means and power, which by the Lawes and Constitutions of this Kingdome we are trusted with for defence and protection thereof, & of the subjects from force and violence; we doe in this our humble & loyall petition prostrate our selves at Your Majesties feet, beseeching your royall Majesty, That you will be pleased to forbear, and remove all preparations and actions of War, particularly the Forces from about *Hull*, from *Newcastle*, *Tynmouth*, *Lincoln*, and *Lincolnshire*, and all other Places; And that your Majesty will recall the Commissions of Array, which are illegal; Dismiss Troops, and extraordinary Guards, by you raised; That
Your

Your Majesty will come neerer to your Parliament, and hearken to their faithfull Advice, and humble Petitions, which shall onely tend to the defence and advancement of Religion, Your owne royall honour and safety, the preservation of our Lawes and Liberties; And we have been, and shall ever be carefull to prevent and punish all tumults, and seditious actions, Speeches, and writings, which may give Your Majesty just cause of distast or apprehension of danger; from which publique aimes and resolutions no sinister or private respect shall ever make us to decline. That Your Majesty will leave Delinquents to the due course of Justice; And that nothing done or spoken in Parliament, or by any person in pursuance of the commands and directions of both Houses of Parliament, be questioned any where but in Parliament.

And we, for our parts, shall be ready to lay downe all those preparations which we have been forced to make for our defence. And for the Towne of *Hull*, and the Ordinance concerning the Militia, as we have in both these particulars, onely sought the preservation of the peace of the Kingdome, and the Defence of the Parliament, from force and violence; So we shall most willingly leave the Towne of *Hull* in the state it was before Sir *John Hotham* drew any forces into it, delivering your Majesties Magazine into your Tower of *London*; And supplying whatsoever hath been disposed by us for the service of the Kingdome. We shall be ready to settle the Militia by a Bill, in such a way, as shall be Honourable and safe for your Majesty, most agreeable to the duty of Parliament, and effectuell for the good of the Kingdome; That the strength thereof be not employed against it selfe; and that which ought to be for our security, applied to our destruction: And that the Parliament, and those who professe and desire still to preserve the Protestant Religion, both in this realme, and in *Ireland*, may not be left naked, and indefensible, to the mischievous designs, and cruell attempts of those, who are the profest and confederated enemies thereof, in Your Majesties Dominions, and other Neighbour Nations. To which if Your Majesties courses and Counsels shall from henceforth concur, We doubt not but we shall quickly make it appeare to the world, by the most eminent effects of love and duty, that your Majesties personall safety, Your Royall Honour and Greatenesse are much deerer to us then our owne Lives and Fortunes, which we doe most heartily Dedicate, and shall most willingly imploy for the support and maintenance thereof,



His Majesties Answer

To the Petition of the Lords and Commons Assembled in Parliament.

Though His Majesty had no great reason to beleve that the directions sent to the Earle of Warwick to goe to the River of Humbe, with as many ships as he should think fit, for all possible assistance to Sir John Hotcham (whilst His Majesty expected the giving up of the Town unto him) and to carry away such Treasures thence as his discretion thought fit to spare out of His Majesties own Magazine; (The choosing of a Generall by both Houses of Parliament for the defence of those who have obeyed their Orders and commands (be they never so extravagant and illegal) Their Declaration that in that case they would live and die with the Earl of Essex their General: (all which were voted the same day with this Petition) And the committing the Lord Mayor of London to prison for executing His Majesties Writs, and lawfull commands, were but ill Answers to a Petition which might compose the miserable distractions of the Kingdom: Yet His Majesties passionate desire of the peace of the Kingdom, together with the preface of the presenters, that they had brought a Petition full of duty and submission to His Majesty, and which desired nothing of him but his consent to peace (which His Majesty conceived to be the language of both Houses too,) begot a great hope and expectation in him, that this Petition would have been such an introduction to peace, that it would at least have satisfied His Majesty of the cleventh of this month, by delivering up Hull to His Majesty: But to His unspeakable griefe, His Majesty hath too much cause to beleve, that the end of some persons by this Petition, is not in truth to give any real satisfaction to His Majesty, but by the specious pretences of making offers to him, to mislead and seduce His people, & lay some imputation upon him of denying what is fit to be granted, otherwise it would not have shown those unjust reproaches and scandals upon His Majesty for making necessary and just defence for His own safety, and so peremptorily justified such actions against him, as by no rule of Law or justice can admit the least colour of defence, and after so many free and unlimited acts of grace passed by His Majesty without any condition, have proposed such things which in justice cannot be denied unto him upon such conditions as in honour he cannot grant. Howsoever that all the world may see how willing His Majesty would be to embrace any Overture that might beget a right understanding betweene him and His two Houses of Parliament (with whom he is sure he shall have no contention, when the private practices and subtil insinuations of some few malignant persons shall be discovered, which His Majesty will take care shall be speedily done) he hath with great care weighed the particulars of this Petition, and returns this Answer.

That the Petitioners were never unhappy in their petitions or supplications to His Majesty, while they desired any thing which was necessary or convenient for the preservation of Gods true Religion His Majesties safety and honour and the peace of the Kingdom. And therefore when those generall ambitious foundations are laid, His Majesty could with some particular instances had been applied. Let envy and malice object one particular proposition for the preservation of Gods true Religion, which His Majesty hath refused to consent to; what himselfe hath often made for the ease of tender consciences, and for the advancement of the Protestant Religion, is notorious by many of his Majesties and Declarations, what regard hath been

to his honour and safety, when he hath been driven from some of his houses, and kept from other of his Towns by force, and what care there hath been of the peace of the Kingdom when endeavour hath been used to put all his subjects in Armes against him, is so evident, that his Majesty is confident he cannot suffer by those generall imputations; 'Tis enough that the World knowes what he hath granted, and what he hath denyed.

For His Majesties raising Forces, and making preparations for War (whatsoever the Petitioners to the evil Uses of the Enemies to His Majesties Person and Government, and by the Calumnies and Slanders raised against His Majesty by them, are induced to believe) all men may know what is done that way, is but in order to His owne Defence. Let the Petitioners remember that (which all the World knowes) His Majesty was driven from His Palace of Whitehall for safety of His life; That both Houses of Parliament upon their own Authority raised a Guard to themselves (having gotten the committes of all the Chain-Bands of London to that purpose) without the least colour of shadow of danger; That they usurped a Power by their pretended Ordinance (against all Principles and Elements of Law) over the whole Militia of the Kingdom, without and against His Majesties consent; That they took possession of His Towne, Fort, and Magazine of Hull, and committed the same to Sir John Hotham, who shut the Gates against His Majesty, and by force of Armes denied entrance thither to His own Person; That they justified this Act, which they had not directed, and took Sir John Hotham into their Protection for whatsoever hee had done or should do against His Majesty; And all this, whilst His Majesty had no other attendance then His owne meniall Servants. Upon this the Duty and Affection of this Countrey prompted His Subjects here to provide a small Guard for His owne Person; which was no sooner done, but a Note suddenly passed of His Majesties intention to leavy War against his Parliament (which God knowes His heart abhorreth) and notwithstanding all His Majesties Propositions, Declarations and Protestations to the contrary, seconded by the cleere testimony of so great a number of Peeres upon the Place, Propositions and Orders for leavies of Men, Horse and Armes were sent throughout the Kingdom, Place and money brought in and received, Men and Armes raised towards an Army, mustered and under Command, and all this contrary to the Law and to His Majesties Proclamation; And a Declaration published, That if he should use Force for the recovery of Hull, or suppressing the pretended Ordinance for the Militia, it should be held tearing War against the Parliament, and all this done before His Majesty granted any Commission for the leavying or raising a man, His Majesties Ships were taken from Him, and committed to the custody of the Earle of Warwick, who presumes under that power to usurp to himselfe the Sovereignty of the Sea, to chase, fright, and imprison such of His Majesties good Subjects as desire to obey His lawfull Commands, although he had notice of the legall Revocation of the Earle of Northumberlands Commission of Admirall, whereby all power derived from that Commission ceased. Let all the World now judge who began this War, and upon whose account the Murders which may follow must be cast, what His Majesty could have done lesse then the hath done, and whether he were not compelled to make Provision both for the defence of himselfe, and recovery of what is so violently and injuriously taken from Him; And whether these Injuries and Injustices are not just grounds for His Majesties feares and apprehensions of farther mischief and danger to Him. Whence the Feares and Jealousies of the Petitioners have proceeded hath never beene discovered; The dangers they have brought upon His good Subjects are too evident; That those are they have prevented, no man knowes; And therefore His Majesty cannot but looke upon that Charge, as the boldest, and the most scandalous hath beene yet laid upon Him. That this necessary Provision made for His own safety and Defence, is to over-ule the Judgement and Advice of His great Councell, and by Force to determine the Questions there depending concerning the Government and Liberty of the Kingdom. If not other Force had beene raised to determine those Questions then by His Majesty, this unhappy misunderstanding had not beene. And His Majesty no longer desires the Blessing and Protection of Almighty God upon himselfe and his Posterity, then hee and they shall solemnly offer to the Due Execution of the Lawes in the Defence of Parliaments, and the just Freedoms thereof.

For the Forces about Hull, His Majesty will remove them when hee hath attained the

and for which they were brought thither. When Hull shall be reduced againe to his subjection, hee will no longer have an Army before it; And when hee shall be assured that the same necessity and necessity of publique good, which tooke Hull from him, may not put a Garrison into Newcastle, to keepe the same against him, hee will remove his from thence, and from Tinnmouth; Till then, the Example of Hull will not out of his memory.

For the commissions of Array which are legal, and are so proved by a Declaration now in the Presse, his Majesty wonders why they should at this time be thought greivous, and fit to be recalled, if the fears of Invasion and Rebellion be so great, that by an illegal pretended Ordinance, tis necessary to put his Subjects into a posture of defence to Array, Traine, and Muster them, hee knows not why the same should not be done in a regular, knowne, lawfull way; But if in the execution of that Commission any thing shall be unlawfully imposed upon his Subjects, his Majesty will take all just and necessary care for their redresse.

For his Majesties coming neerer to his Parliament, his Majesty hath expressed himselfe so fully in his severall messages, Inswearers and Declarations, and so particularly assured a reall feare of his safety, upon such instances as cannot be answered, that hee hath reason to take himselfe somewhat neglected, that since upon so manifest reason tis not safe for his Majesty to come to them, both his Houses of Parliament will not come neerer to his Majesty, or to such a place, where the freedom and dignity of Parliament might be perserbed. However his Majesty shall be very glad to heare of some such example in their punishing the Tumults (which hee knows not how to expect, when they have declared that they know not of any tumult, though the House of Peeres desired both for the dignity, and freedom of Parliament, that the House of Commons would joine with them in a Declaration against tumults, which they refused (that is neglected to doe.) And other seditious actions, speeches, and Printings as may take that apprehension of danger from him, though when hee remembers the particular complaints, himselfe hath made of businesse of that nature, and that instead of enquiring out the Authors, neglect of examination hath bene, when offer hath bene made to both Houses to pprove the Authors (as in that reasonable paper concerning the Militia,) And when hee sees every day Pamphlets published against his Person, and against monarchy it selfe, as the Observations upon his last Messages, Declarations, and expressions and some Declarations of their owne, which gives too great encouragement in that argument to ill affected persons; his Majesty cannot with confidence entertaine these hopes which would be most welcome to him.

For the leading delinquents to the due course of Justice, his Majesty is most assured, hee hath bene no slower to any such. If the tediousnesse and delay in prosecution, the vast charge in officers fees, the keeping men under a generall accusation without repay a whole yeare and more, so allowing them no way for their defence and vindication, have frighted men away from so chargeable and uncertaine an attendance, The remedy is best provided where the disease grew. If the Law be the measure of delinquency, nor such are within his Majesties protection; But if by delinquents, such are understood who are made so by Oath, without any trespass upon any knowne or established Law, If by delinquents those nine Lords are understood, who are made delinquents for obeying his Majesties summons to come to him after their Oath there was neither safe nor honorable by reason of the tumults, and other violences, and whose impeachment he is confident is a greatest breach of priviledge that before Parliament was ther offered to the House of Peeres, if by Delinquents, such are understood who refuse to submit to the pretended Ordinance of the Militia, to that of the Navy or to any other which his Majesty hath not consented to, such who for the peace of the Kingdom, in an humble manner prepare Petitions to him, or to both Houses, as his good Subjects of London and Kent did, whilst seditious ones, as that of Essex and other places, are allowed and cherished, if by Delinquents such are understood who are called so for publishing his Proclamations (as the Lord Mayor of London) or for reading his Messages, and Declarations (as divers Ministers about London and else where) when those against him are dispersed with all care and industry, to payson and corrupt the loyalty and affection of his people, if by Delinquents such are understood who have or shall lend his Majesties money, in the Universities or in any other places: his Majesty declares to all the world, that hee will

prosecute

protect such with his utmost power and strength, and directs, that in these cases they submit not to any messengers or warrants: it being no lesse his duty to protect those who are innocent, then to bring the guilty to condigne punishment of both which the Law is to bee Judge: and if both Houses doth take sit to make a General and to raise an Army for defence of those who obey their orders and commands. His Majesty must not sit still, and suffer such who submit to his just power, and are solicitous for the Lawes of the Land to perish and be undone, because they are called Delinquents: and when they shall take upon them to dispence with the attendance of those who are called by his Majesties writ, whilst they send them to Sea to rob his Majesty of his Ships, or into his severall Counties to put his Subjects in Trins against his Majesty (who onely hath it) will not loose the power to dispence with them to attend his owne Person, or to execute such Officers as are necessary for the preservation of himselfe and the Kingdome, but must protect them, though they are called Delinquents.

For the manner of the proceeding against Delinquents, his Majesty will proceede against those who have no priviledge of Parliament, or in such cases where no priviledge is to bee allowed, as he shall be advised by his learned Counsell, and according to the knowne and unquestionable rules of the Law, it being unreasonable that he should be compelled to proceede against those who have violated the knowne and undoubted Law, onely before them who have directed such violation.

Having said thus much to the particulars of the Petition, Though his Majesty hath reason to complaine, that since the sending this Petition, they have beaten their Drums for Souldiers against him, Armed their owne Generall with a power destructive to the Law and liberty of the Subjects, and chosen a Generall of their House, His Majesty out of his Princely Love, tendernesse and compassion of his People, and desire to preserve the peace of the Kingdome, That the whole force and strength of it may be united for the defence of its selfe, and the reliefe of Ireland (in whose behalfe he conjures both his Houses of Parliament, as they will answer the contrary to Almighty God, His Majesty, to those that trust them, and to that bleeding miserable Kingdome, that they suffer not any monies granted and collected by act of Parliament to be diverted or employed against his Majestie, whilst his Souldiers in that Kingdome are ready to mutiny, or perish for want of pay, and the barbarous Rebels prebale by that encouragement) Is graciously pleased once more to propose and require.

That his town of Hull be immediately delivered up to him, which being done (though his Majesty hath been provoked by unheard of insolencies of Sir John Hotham, since his burning and burning the Countrey, in leasing his estate and other privision for his house, and scornfully using his servant, whom he sent to require them, saying, it came to him by Providence, and he will keep it; and so refusing to deliver it, with threats, if he or any other of his fellow servants should again repaire to Hull about it; and in taking and detaining prisoners divers Gentlemen, and others in their passage over the Humber into Lincolnshire, about their necessary occasions and such other indignities, as all Gentlemen must resent in his Majesties behalfe, his Majesty to show his earnest desire of peace (for which he will dispence with his own honour) and how far he is from desire of Revenge, will grant a free and generall pardon to all persons within that Towne.

That his Majesties Magazine taken from Hull, be forthwith put into such hands as he shall appoint.

That his Ship be forthwith delivered into such hands as he hath directed for the government thereof. The detaining thereof after his Majesties directions published and received to the contrary, and employing his Ships against him in such manner as they are now used, being notorious high treason in the Commanders of those Ships.

That all Arms, Levies, and privisions for a warre, made by the consent of both Houses (by whose example his Majesty hath been forced to make some preparations) be immediately layd down, and the pretended Ordinance for the Militia, and all power of imposing Lawes upon the Subject without his Majesties consent be disallowed, without which the same pretence will remaine to produce the same mischiefs: All which his Majesty may as lawfully demand, as to live, and can with no more justice be denied him then his life may be taken from him.

These being done and the Parliament adjourned to a safe and secure place, his Majesty promises in the presence of God, and binds himselfe by all his confidence and assurance in the ex-

ation of his people, that he will instantly and most cheerfully lay down all the force he shall have raised, and discharge all his future and intended levies, That there may be a generall face of peace over the whole Kingdome; and will repaire to them, and desires that all differences may be freely debated in a Parliamentary way, whereby the Law may recover its due reverence, the Subject his just Liberty, and Parliaments themselves their full vigour and estimation, and so the whole Kingdome a blessed peace, quiet, and prosperity.

If these propositions shall be rejected, His Majesty doubts not of the protection and assistance of Almighty God, and the ready concurrence of his good Subjects, who can have no hope left them of enjoying their own tongue if their King may be oppressed and spoiled, and must be remedied. And though his Towns, his Ships, his Arms, and his Money be gotten and taken from him, he hath a good cause left, and the hearts of his people, which with Gods blessing, he doubts not, will recover all the rest. Lastly, if the preservation of the Protestant Religion, the Defence of the Liberty and Law of the Kingdome, the dignity and freedom of Parliament, and the recovery of bleeding and miserable Ireland, be equally precious to the petitioners as they are to His Majesty (who will have no quarrell but in defence of these) there will be a cheerful and speedy consent to what his Majesty hath now proposed and desired.

And of this his Majesty expects a full and positive answer by Wednesday the 27 of this instant July: Till when he will not make any attempt of force upon Hull, hoping in the affection, duty, and loyalty of the Petitioners. And in the mean time expects that no supply of men be put into Hull, or any of His Majesties Goods taken from thence.

VOTES.

Die Martis. 12 Julii, 1642.

Resolved upon the Question.

THAT an Army shall be forthwith raised for the safety of the Kings person, defence of both Houses of Parliament, and of those who have obeyed their Orders and commands, and preserving of the true Religion, the laws, liberty and peace of the Kingdom.

Resolved upon the Question.

That the Earle of *Essex* shall be the Generall.

Resolved upon the Question.

That this house doth declare, that in this cause for the safety of the Kings person defence of both Houses of Parliament, and those who have obeyed their Orders and commands, and preserving of the true religion, the laws, liberty, and peace of the Kingdom, they will live & die with the E. of *Essex*, whom they have nominated Generall in this cause:

Resolved upon the Question.

That a Petition shall be framed, to move His Majesty to a good accord with His Parliament, to prevent a Civill War.

The Petition being drawn, was agreed unto upon the Question: and with these Votes were presented unto the Lords. Who returned answer, they did concur with the House of Commons, *in omnibus*.

Whereupon both Houses ordered, that the Earl of *Holland*, Sir *Iohn Holland*, and Sir *Phillip Stapleton* should forthwith repaire to *Beverley*, and present the Petition unto His Majesty.

The Message of the 11 of July came to the House of Peeres, after this petition was agreed on: being so full an answer thereunto, as both Houses resolved to give no other answer to that message, but the said Petition.

Resolved upon the Question. 14 July, 1642.

That all the Members of this House that have subscribed for the bringing in of Horse, Money, or Plate, do bring the same by Tuesday next, and that a Report be made then to the House who are defective therein.

Resolved upon the Question.

That the Earle of *Bedford* shall be Generall of the Horse.

Hen. Elving: Cler. Parl. D. Com.